

Message

**From:** George Sabbagh [george.sabbagh@bayer.com]  
**Sent:** 10/20/2020 9:27:43 PM  
**To:** Crawford, Lydia [Crawford.Lydia@epa.gov]; Hathaway, Margaret [Hathaway.Margaret@epa.gov]; Schmid, Emily [Schmid.Emily@epa.gov]  
**CC:** Meadows, Sarah [Meadows.Sarah@epa.gov]; Kenny, Daniel [Kenny.Dan@epa.gov]; Echeverria, Marietta [Echeverria.Marietta@epa.gov]; BCSReg\_Archive [esepamailbox@bayer.com]  
**Subject:** RE: Xtendimax label comments  
**Attachments:** MASTER LABEL\_XtendiMax\_264-RERN\_20201020.pdf; MASTER LABEL\_XtendiMax\_264-RERN\_20201020\_redline.pdf

Attached please find updated copies of the label. The redline version shows the changes made, and it provides explanations to revisions requested by the Agency that were not adopted. Agency comments and Bayer explanations are also summarized below.

Please, reach out if you need additional clarification or have questions.

EPA Comment	Bayer Reply
Isn't this [obtain a copy of the Overview of Application Requirements] mandatory? (pg. 4)	This is not mandatory, but it is something that we have provided users in the past from as a good stewardship practice.
This implies that rain after 4 hours is not a concern for runoff when applications when rainfall is forecast in the next 48 hours is explicitly restricted. Remove to avoid confusion. (p. 5)	The runoff language specifically indicates that rainfall is only a concern when a rain event that <u>may exceed field capacity</u> is forecasted within 48 hours. In this case, rain within four hours after application may reduce the effectiveness of this product, while runoff would not be an issue so long as it does not exceed field capacity.
Insert the following: "During a temperature inversion, the atmosphere is very stable and vertical air mixing is restricted, which can cause small, suspended droplets to remain in a concentrated cloud. This cloud can move in unpredictable directions due to the light, variable winds common during inversions." (p. 7)	The main points for this temperature inversion section are to indicate to the applicator not to apply into an inversion and to list the primary conditions for the applicator to be alerted to so as to avoid applying into an inversion. We do not find it necessary to include on the label extra information on what an inversion is or how winds may impact it, but we acknowledge that this be part of the training for certified applicators.
Insert "(above 91 degrees F)" in the "Temperature and Humidity" section,	Upon further review, we have struck this section from the label. This section and statements therein, including the 91F temperature suggested insert, is a carryover from older product labels where finer tip nozzles and <10 GPA were permitted for use and was a generally accepted mitigation to further reduce drift in high heat/low humidity areas. There is also no data in this registration or any other to support the statement as an effective mitigation. With the current use gallons limited to 15 GPA or higher and the nozzle approval process, this product is limited for use with the largest droplet size available for ALL applications regardless of high heat and low humidity. We already have limited the production of most if not all fine particles from evaporative loss; moreover, there is no other nozzle that could be used to further reduce fines. All of our approved nozzles are tested and have specific ranges of psi for approved use to maximize coverage while limiting the production of fines.
It must be clear that the only hooded sprayers allowed are those approved on the website and the use of any other hooded sprayer is a violation of the label. (p. 8)	These other types of DRT (besides qualified hooded sprayers) can be used with this product but, while they do offer additional protection against spray drift, they do not currently qualify for mitigation relief.

Change text to: "may qualify for a reduced buffer distance described below, provided ..." (delete "for reduced use restrictions"; p. 8)	As per the hooded sprayer qualification protocol, there is the potential for other application requirements to change. This language is consistent with that approach and is aligned with EPA's DRT website
Between Crop Applications: "These uses are covered by the preplant instructions for DT cotton and soybean. Having them as separate instructions as well is misleading." Suggested edit was to delete this section. (p. 11)	These uses are not covered by the preplant instructions for DT cotton and soybean. This "Between Crop Applications" use: <ul style="list-style-type: none"> <li>(1) Offers growers post-harvest weed control opportunity to have a low-volatility dicamba with greatly improved application requirements to mitigate OTM and protection of endangered species/areas (vs the myriad other dicambas with this label provision).</li> <li>(2) Fall or post-harvest applications tank-mixed with other herbicides can be a very effective tool to manage escaped or newly emerged weeds after harvest equipment, fall tillage, or other production practice has occurred before hard freeze to manage spring weed populations.</li> <li>(3) Allowing additional post-harvest uses also allows retailers and growers to use left-over stock of this low-volatility product in this manner vs other dicambas.</li> </ul>

Freundliche Grüße / Best regards,

*George Sabbagh, Ph.D.*  
*Head Regulatory Engagements*



Regulatory Engagement  
Collaborating Across Organizations

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**Subject:** Xtendimax label comments

Good evening George,

Please see the attached label comments for 264-RERN. Make requested changes and send back clean and highlighted copies of the label as quickly as you can. If you have any rebuttals, please include them in the body of the email response. Hope you have a pleasant weekend.  
Thanks,

Lydia Crawford PhD

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